

Docket No. LILS-147RI

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of :  
Victor P. Crome :  
Reissue application of Patent No. 5,871,624 :  
Filed: Herewith :  
FOR: MODULAR CERAMIC OXYGEN GENERATOR

**COMBINED REISSUE DECLARATION AND POWER OF ATTORNEY**

Honorable Assistant Commissioner  
for Patents  
Washington, D.C. 20231

Sir:

As the below-named inventor, I hereby declare that:

My residence, post office and citizenship are as stated below next to my  
name; and that:

I, verily believe that I am the original and first inventor of the invention entitled  
"MODULAR CERAMIC OXYGEN GENERATOR", described and claimed in the reissue  
application filed on even date, that I understand the content of the specification filed  
therein; that I have reviewed and understand the content of the specification, including the  
claims, as well as the claims referred to in this Declaration and claims amended in an  
Amendment being submitted concurrently herewith; that I do not know and do not believe  
the same was ever known or used in the United States of America before my invention  
thereof, or patented or described in any printed publication in any country before my  
invention thereof, or more than one year prior to August 24, 1995; that the same was not in  
public use or on sale in the United States of America more than one year prior to August  
24, 1995; that the invention has not been patented or made the subject of an inventor's  
certificate issued before August 24, 1995, in any country foreign to the United States of  
America on an application filed by me or my legal representatives or assigns more than

twelve months prior to August 24, 1995; that I acknowledge my duty to disclose information of which I am aware which is material to the examination of this application; and that no application for patent or inventor certificate on this invention has been filed in any country foreign to the United States of America prior to the original application Serial No. 08/518,646 by me or my legal representatives or assigns. My original U.S. Patent No. 5,871,624 issued February 16, 1999, which matured from Serial No. 518,646 filed August 24, 1995, abandoned, and Serial No. 20,301 filed February 6, 1998, is believed to be wholly or partly inoperative because claims 1 and 6 were claimed incorrectly and are being corrected in this reissue application up to the time of filing this Declaration through error and without any deceptive intention on the part of the Applicant. Every error in the patent which was corrected in the present reissue application, and is not covered by a prior oath/declaration submitted in this application, arose without any deceptive intention on the part of the Applicant.

The errors include the following:

1. Incorrectly claiming in claim 1 that the second electrode covers an interior surface of said first column of tubes.
2. Incorrectly claiming in claim 6 that the second electrode covers an interior surface of said first column of tubes.

I first became aware of these errors during the prosecution of a corresponding EPO application. It was pointed out in an Office Action from the EPO that the second electrode must cover the exterior surface 13 of the second column of tubes 12 and interior surface 17 of a further (and not of the first) column of tubes. An arrangement as defined in claims 1 and 6 of U.S. Patent No. 5,871,624 would not lead to the electrical series connection according to the invention described in the specification. Support can be found in the specification in column 4, lines 15-39.

My attorney realized that the coverage of U.S. Patent No. 5,871,624 was incorrect. My attorney received authorization from the Legal Department of Litton Systems, Inc. to prepare a reissue application with appropriate claims to obtain the correct claim coverage.

I hereby appoint the following attorneys to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith. Allan M. Lowe, Reg. No. 19,641; Benjamin J. Hauptman, Reg. No. 29,310; Reg. No. 27,333; Kenneth M. Berner, Reg. No. 37,093 and Michael G. Gilman, Reg. No. 19,114 all of Lowe Hauptman Gilman & Berner, P.C., 1700 Diagonal Road, Suite 310, Alexandria, Virginia 22314 and Michael H. Wallach, Esq., Reg. No. 27,406 of Litton Systems, Inc., 147 Columbia turnpike, Suite 302, Florham Park, NJ 07932, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and

**ALL FUTURE CORRESPONDENCE SHOULD BE ADDRESSED TO:**

**MICHAEL H. WALLACH, ESQ.  
LITTON SYSTEMS, INC.  
147 COLUMBIA TURNPIKE, SUITE 302  
FLORHAM PARK, NJ 07932  
PHONE: 973-966-0025**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

.....  
Full name of first joint inventor: Victor P. Crome

Inventor's signature: Victor P. Crome

Date: 12 Feb '01

Residence: 1412 Meadowview Lane, Davenport, Iowa 52806

Citizenship: USA

Post Office Address: Same as above

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of :  
Victor P. Crome :  
Serial No. :  
(Reissue application of :  
U.S. Patent 5,871,624) :  
Filed: Herewith :  
For: MODULAR CERAMIC OXYGEN GENERATOR

OFFER TO SURRENDER ORIGINAL PATENT 5,871,624

Assistant Commissioner for Patents  
Washington, D. C. 20231

Sir:

In accordance with the provisions of 37 CFR 1.178, the undersigned assignee of the accompanying reissue application for the reissue of Letters Patent No. 5,871,624 for MODULAR CERAMIC OXYGEN GENERATOR to Victor P. Crome and assigned to Litton Systems, Inc., Davenport, Iowa, by assignment of the entire interest, hereby offers to surrender said Letters Patent.

Filed herewith is an order for a title report as required in reissue applications.

Date:

Victor P. Crome  
Victor P. Crome  
Inventor

Date: Feb. 9, 2001

Michael H. Wallach  
Michael H. Wallach  
Assistant Secretary  
Litton Systems, Inc.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of :  
Victor P. Crome :  
Serial No. :  
(Reissue application of :  
U.S. Patent 5,871,624) :  
Filed: Herewith :  
For: MODULAR CERAMIC OXYGEN GENERATOR

ORDER FOR A TITLE REPORT

Assistant Commissioner for Patents  
Washington, D. C. 20231

Sir:

Please order a title report as required by 37 CFR 1.171, of Letters Patent No. 5,871,624 to Victor P. Crome granted February 16, 1999, said title report to be placed in the file of the accompanying reissue application for reissue of the identified Letters Patent.

Charge the fee of \$25.00 to credit card (form attached). Any deficiency or overpayment should be charged or credited to Deposit Account No. 07-1337.

Respectfully submitted,

LOWE HAUPTMAN GILMAN & BERNER, LLP

*Kenneth M. Berner*

Kenneth M. Berner  
Registration No. 37,093

1700 Diagonal Road, Suite 310  
Alexandria, Virginia 22314  
(703) 684-1111 KMB:jad  
Date: February 15, 2001

Facsimile: 703-518-5499

TELETYPE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## In re Reissue Application of

Victor P. Crome

Reissue application of Patent No.

5,871,624

## Applications Branch

Filed: Herewith

For: MODULAR CERAMIC OXYGEN GENERATOR:

CERTIFICATE UNDER 37 CFR 3.73(b)

Honorable Assistant Commissioner

## for Patents

Washington, D. C. 20231

Sir:

Applicant: Litton Systems, Inc. certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of:

A. [x] An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel 7633, Frame 0516, or for which a copy thereof is attached.

**B.** A chain of title from the inventor(s), of the patent identified above, to the current assignee as shown below:

1. From: To:  
The document was recorded in the Patent and Trademark Office at Reel , Frame .
2. From: To:  
The document was recorded in the Patent and Trademark Office at Reel , Frame.
3. From: To:  
The document was recorded in the Patent and Trademark Office at Reel , Frame , or for which a copy thereof is attached.

[ ] Additional documents in the chain of title are listed on a supplemental sheet.

[ ] Copies of assignments or other documents in the chain of title are attached.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: Feb 9, 2001

Name: Michael H. Wallach

Title: Assistant Secretary, Litton Systems, Inc.

Signature: Michael H. Wallach

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## ASSIGNMENT

I, Victor P. Crome for good and valuable consideration, the receipt of which is acknowledged, hereby sell, assign and transfer unto Litton Systems, Incorporated, a Corporation of the State of Delaware, having a principal place of business at 21240 Burbank Boulevard, Woodland Hills, California 91367 as assignee and its successors, assigns and legal representatives the entire right, title and interest for all countries in and to a certain invention relating to a "Modular Ceramic Oxygen Generator" described in an application for Letters Patent of the United States executed by me on the date set forth below and all the rights and privileges under any and all Letters Patent that may be granted therefor.

I request that any and all patents for said invention be issued to said assignee, its successors, assigns and legal representatives, or to such nominees as it may designate.

I agree that, when requested, I will without charge to said assignee, but at its expense, sign all papers, take all rightful oaths and do all acts which may be necessary, desirable or convenient for securing, maintaining and enforcing patents for said invention in any and all countries and for vesting title thereto in said assignee, its successors, assigns and legal representatives or legal nominees.

I authorize and empower the said assignee, its successors, assigns and legal representatives or nominees to invoke and claim for any application for patent or other form of protection for such invention filed by it or them, the benefit or the right of priority provided by the International Convention for the Protection of Industrial Property, as amended, or by any convention which may henceforth be substituted for it and to invoke and claim such right of priority without further written or oral authorization from us.

I hereby consent that a copy of this assignment shall be deemed a full and legal and formal equivalent of any assignment, consent to file or like document which may be required in any country for any purpose and more particularly, in proof of the right of said assignee or nominee to claim the aforesaid benefit of the right of priority provided by the International Convention for the Protection of Industrial Property as amended or by any convention which may henceforth be substituted for it.

I covenant with said assignee, its successors assigns and legal representatives that the rights and property herein conveyed are free and clear of any incumbrance and that I have full right to convey the same as herein expressed.

Victor P. Crome  
Victor P. Crome

8/15/95  
Date